

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

STEPHEN EARL BROOKS,

Plaintiff,

v.

ROBERT DEVERAUX, *et al.*,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

Case No. 3:24-cv-369

Judge Atchley

Magistrate Judge McCook

ORDER

On November 25, 2024, United States Magistrate Judge Jill E. McCook filed an Order and Report and Recommendation [Doc. 14] pursuant to 28 U.S.C. § 636 and the Rules of this Court granting Plaintiff’s Motion to Proceed in Forma Pauperis [Doc. 2] and recommending that this case be dismissed. Plaintiff has not filed an objection to the Report and Recommendation.¹ The Court has nonetheless reviewed the Report and Recommendation, as well as the record, and agrees with Magistrate Judge McCook’s well-reasoned conclusions.

Accordingly, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge McCook’s findings of fact and conclusions of law as set forth in the Order and Report and Recommendation [Doc. 14]. This case is **DISMISSED WITH PREJUDICE**.² The Clerk is **DIRECTED** to close this case. A separate judgment order will enter.

¹ Magistrate Judge McCook advised that the parties had 14 days in which to object to the Report and Recommendation and that failure to do so would waive any right to appeal. [Doc. 14 at 9 n.5]; *see* Fed. R. Civ. P. 72(b)(2); *see also* *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) (“It does not appear that Congress intended to require district court review of a magistrate judge’s factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings.”).

² As this action is being dismissed, Plaintiff’s pending Motion [Doc. 11] is **DENIED AS MOOT**.

SO ORDERED.

/s/ Charles E. Atchley, Jr.

CHARLES E. ATCHLEY, JR.

UNITED STATES DISTRICT JUDGE